

67008-123
S-5669**REMARKS**

Applicant wishes to thank the Examiner for the detailed remarks and the allowability of claims 20, 21, and 34-37. Claims 20 and 34 have been amended only to be re-written in independent form including all of the limitations of the base claim and any intervening claims and are therefore properly allowable. Accordingly, claims 11-19 and 30-33 are pending.

Claims 11 and 13-16 were rejected under 35 USC §103(a) as being unpatentable over *Hamilton et al.* (5,296,854) in view of *Hall et al.* (6,216,065). Applicant respectfully traverses these rejections as there is absolutely no teaching, suggestion, or motivation to modify *Hamilton* in view of *Hall*. As admitted by the Examiner, *Hamilton* fails to disclose or suggest aircraft position with respect to a landing point. In fact, *Hamilton* provides no disclosure whatsoever regarding landing or an approach thereto. *Hall* recites that:

In operation, the processor 32 uses the digital terrain elevation data to display a digital moving map image on the display screen 38 that may be centered at a latitude and longitude supplied to the processor 32 from the GPS receiver 42. The processor 32 updates the displayed image each time it receives a new latitude and longitude. Thus, as the helicopter 12 moves, the latitude and longitude sensed by the GPS receiver 42 changes and the map image is updated, giving the appearance of a single continuously scrolling map image moving across the surface of the display area of the display screen 38.

[Col. 5, lines 18-28.]

Hall discloses a moving map display in which various points such as the aircraft position and a landing point are disclosed. *Hall* makes no reference to imaging systems or to the fusion of imagery information onto the moving map display. In other words, *Hall* is basically a map display rather than a system to enhance situational awareness as *Hall* provides no imagery component. *Hamilton* makes no reference to showing an aircraft position with respect to a landing point and *Hall* makes no reference to the utilization of imagery information. Neither reference alone or in combination discloses, suggests, or teaches the fusion of environmental information and imagery information into a combined output to display an aircraft current position relative to a designated landing point as claimed in the present invention. Simply, there is no motivation to combine *Hamilton* in view of *Hall* as proposed by the Examiner because each is concerned to a separate and distinct flight realm. The only motivation to make the proposed combination is by following the

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knowledge disclosed within the present invention. This is impermissible usage of hindsight in an attempt to re-create Applicant's device. Accordingly, the claims are properly allowable.


The balance of the rejections also utilize *Hamilton* in view of *Hall* and are therefore improper for at least the reasons discussed above. Notably, claims 32 and 33 were rejected under 35 USC §103(a) as being unpatentable over *Hamilton* in view of *Hall*, *Baker* and *Kelly et al.* Although not dispositive, the utilization of such a significant number of references further supports Applicant's contention that the Examiner is impermissibly utilizing hindsight in an attempt to re-create Applicant's claimed system.

Applicant does not claim to have invented the concept of a moving map display or an approach to landing system. Rather, Applicant has provided a unique system which enhances situational awareness in a degraded visual environment which fuses environmental information and imagery information while displaying an aircraft current position relative to a desired landing point. The claims are patentable.

Applicant believes that no additional fees are required; however, should additional fees or extensions of time be required, the Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds, P.C.

Applicant respectfully submits that this case is in condition for allowance. If the Examiner believes that a teleconference will facilitate moving this case forward to being issued, Applicant's representative can be contacted at the number indicated below.

Respectfully Submitted,
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Dated: 17 OCT, 2005

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